

1
2
3
4
5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
7

8 IN RE: UBER TECHNOLOGIES, INC.,
9 PASSENGER SEXUAL ASSAULT
10 LITIGATION

11 This Document Relates to:
12 ALL CASES
13

Case No. 23-md-03084-CRB

**DECLARATION OF BETH WILKINS IN
SUPPORT OF PLAINTIFFS' PORTION
OF JOINT LETTER REGARDING
PLAINTIFFS' INTERROGATORIES 7 &
8**

Judge: Honorable Lisa J. Cisneros

1 I, Beth Wilkins, hereby declare as follows:

2 1. I am a partner in the law firm of Chaffin Luhana LLP. I am a member of the State
3 Bars of Illinois and Missouri and duly admitted to practice before this Court, representing Plaintiffs
4 in the above caption action. If called upon to testify, I could and would testify competently to the
5 truth of the matters stated herein.

6 2. I submit this declaration in support of Plaintiffs' portion of the parties' Joint Letter
7 Regarding Plaintiffs' Interrogatories 7 and 8 of Plaintiffs' Second Set of Interrogatories.

8 3. Attached hereto as Exhibit A is a true and accurate copy of Uber's Amended
9 Responses to Plaintiffs' Second Set of Interrogatories.

10 4. Attached hereto as Exhibit B is a true and accurate copy of Uber's additional
11 information provided in response to Interrogatories 7 and 8, titled, "Information Provided by
12 Defendants Pursuant to the Parties' Agreement, Dated April 4, 2025, Regarding Categorization of
13 Reports of Sexual Assault or Sexual Misconduct Incidents Alleged to Have Occurred in 2023 or
14 2024."

15 5. Attached hereto as Exhibit C is a true and accurate correspondence between the
16 Parties memorializing their April 4 agreement and follow-up correspondence following that
17 agreement.

18 6. Attached hereto as Exhibit D is a true and accurate correspondence between the
19 Parties leading up to the Parties' April 4 Agreement.

20 7. Attached hereto as Exhibit E is a true and accurate correspondence between the
21 Parties regarding Uber's responses to Interrogatories with respect to the timing of a 30(b)(6)
22 deposition.

23 8. Attached hereto as Exhibit F is a true and accurate copy of Uber's Second Amended
24 Responses to Plaintiffs' Second Set of Interrogatories.

25 9. Plaintiffs served their Second Set of Interrogatories on February 26, 2025. Relevant
26 here are Interrogatories 1 through 8, which sought the number of Sexual Violence Incidents Uber
27 categorized into its Sexual Misconduct and Sexual Violence Taxonomy, as well as the "Insufficient
28

1 Information” and “Parent Category Usage Tracking” categories for each month from 2017 through
2 2024.

3 10. As of March 24, 2025, Uber had not provided responses to Plaintiffs’ Second Set
4 of Interrogatories and objected in full to responding to any of the discovery. The Parties raised this
5 issue in their March 24 Joint Status Report and during the March 27 status conference. *See* ECF
6 2608 at 2-3. The Court ordered Uber to file any motion for relief from discovery by April 4. *See*
7 ECF 2647 at 1.

8 11. Additionally, in their March Joint Status Report, Plaintiffs raised their concerns
9 regarding Uber’s extraction and production of safety incident data from 2017 through 2022 in
10 response to the Court’s numerous Orders on this issue. *See* ECF 2608 at 3-4. The Parties addressed
11 this issue with the Court during the March 27 status conference. *See* Mar. 27, 2025 Hrg. Tr. At
12 17:8-24:6. As a result, the Court ordered Uber to produce a witness for a four-hour 30(b)(6)
13 deposition on this discrete topic. *See* ECF 2647 at 2. This deposition was to address solely the issue
14 of the accuracy and completeness of the production of the safety data from 2017 and 2022.

15 12. During the week of March 31 through April 4, the Parties met and conferred and
16 exchanged numerous emails about both the four-hour 30(b)(6) deposition and Uber’s responses to
17 written discovery. The agreement documented by the Parties on April 4 (“the April 4 Agreement”)
18 reflects both of these issues. *See Exhibit C* at 3-4.

19 13. The April 4 Agreement addresses Interrogatories 1 through 6 separately from
20 Uber’s responses to Interrogatories 7 through 8 for two important reasons. First, the information
21 sought by Interrogatories 1 through 6, which address years 2017 to 2022, was necessary before
22 proceeding with the four-hour 30(b)(6) deposition on the safety data that Uber produced for those
23 years. The information sought by interrogatories 7 though 8 (years 2023 and 2024) was not relevant
24 to that deposition because that deposition was to address only Uber’s production of data for years
25 2017 to 2022. Discovery regarding 2023 and 2024 was to be addressed at a later 30(b)(6)
26 deposition, subject to a deposition notice. A date for that deposition had not yet been set at the time
27 of the April 4 Agreement. Second, to accomplish the production of necessary information for 2017-
28

1 2022 prior to the 4-hour deposition on those years, while still allowing Uber the time it represented
2 it needed to respond to the Interrogatories, Plaintiffs agreed to Uber's request that Plaintiffs
3 withdraw Interrogatories 1 through 6 and instead convert those requests to attached to the
4 (30)(b)(6) notice for the 4-hour deposition. *See Exhibit C* at 4 ("The Parties agree that Plaintiffs
5 will withdraw Interrogatory Nos. 1-6, and Defendants will provide the information requested via
6 Fed. R. Civ. P. 30(b)(6) deposition notice as set forth above."); **Exhibit D** at 1-2. Importantly,
7 Plaintiffs **did not** agree to withdraw or otherwise modify Interrogatories 7 and 8. Instead, the
8 agreement was that Uber would "respond to Interrogatories Nos. 7 and 8." **Exhibit C** at 4.

9
10 14. The April 4 Agreement spelled out that Uber must produce the numbers sought
11 Interrogatories 1 through 6 before the four-hour 30(b)(6) deposition because Plaintiffs required
12 those numbers to be produced before that deposition; or otherwise, the dispute would need to be
13 raised to the Court in accordance with the Court's March 27 Order requiring Uber to file a motion
14 for relief with the Court. On the other hand, because the years 2023 and 2024 were not at issue in
15 that deposition (and the deposition addressing those issues would not occur for some time),
16 Plaintiffs were willing to review Uber's responses to Interrogatories 7 and 8 seek relief from the
17 Court later, if necessary.

18 15. There has never been an agreement between the Parties that Plaintiffs would accept
19 whatever responses Uber provided in response to Interrogatories 7 and 8, or that Plaintiffs would
20 waive their right to challenge the adequacy of Uber's responses. Instead, the April 4 Agreement
21 with respect to Interrogatories 7 and 8 was intended to address the Court's March 27 Order and
22 whether Uber would need to request relief from the Court to avoid responding to those
23 Interrogatories.

24 16. Consistent with the above, Plaintiffs' follow-up with Uber on April 21 regarding
25 the status of their responses to Interrogatories 7 and 8 was not related to the 4-hour deposition that
26 occurred on April 25. Instead, and as indicated by the fact that Plaintiffs followed up again on
27 April 28, the responses to Interrogatories 7 through 8 were needed before the *second* 30(b)(6)
28 deposition on safety data-related topics, which at that time, was set to occur on May 6. *See Exhibit*

1 E (note, the attachment to the email reflected in Exhibit E is Exhibit C, attached hereto).
2 Ultimately, that deposition was postponed due to Uber's failure to provide timely and complete
3 information. A new date (July 15) was not set until May 28. Plaintiffs raised this issue in the May
4 19 Status Report in an effort to resolve it before that deposition.

5 17. Uber criticizes Plaintiffs for not reiterating the assertion made in the last Joint
6 Discovery Status Report that Uber breached the Parties' agreement. Plaintiffs removed that
7 language in an effort at collegiality after Uber pushed back, suggesting the possibility of a mutual
8 misunderstanding regarding the terms of the April 4 Agreement. Regardless, the Parties are where
9 they are. Plaintiffs certainly did not agree to forego the numbers sought in this letter brief.

10 18. Counsel for Uber indicated during a meet and confer discussion on May 23, 2025
11 that there are no technological barriers to providing numbers in response to Interrogatories 7 and
12 8 but rather, Uber's objections are that [REDACTED]

13 I declare under penalty of perjury under the laws of the United States of America that the
14 foregoing is true and correct.

15 Executed this 29th Day of May, 2025 in Lebanon, Illinois.

16
17 /s/ Beth Wilkins

18 Beth Wilkins
19
20
21
22
23
24
25
26
27
28